

*Outgoing
S/027/0056*

Peter Brinton <peterbrinton@utah.gov>

Fwd: UTU-70693, Nielson Mining, S/027/0056**Peter Brinton** <peterbrinton@utah.gov>

Wed, Dec 11, 2013 at 3:35 PM

To: Opie Abeyta <oabeyta@blm.gov>, Rita Stelmach <rstelmac@blm.gov>

Cc: Paul Baker <paulbaker@utah.gov>, Penny Berry <pennyberry@utah.gov>, Duane W Bays <dbays@blm.gov>

Hi Opie & Rita,

We would like you to hold on to the existing bond for Nielson Mining's expired Notice UTU-70693 until the appropriate reclamation surety has been provided for the new Notice UTU-90076, since there is some disturbance that we need to have included in their revised Notice with the Division. In other words, we are still holding the operator liable for reclamation of a small amount of reclamation that will require the additional surety on our end before we can send a letter concurring with the release of bond for the original case file. I understand that bond can't be transferred from the expired Notice to the new one, so we expect that either you or us will get the full replacement surety at some point.

Let me know if there are questions. Thanks.

Peter

On Wed, Dec 11, 2013 at 2:58 PM, Penny Berry <pennyberry@utah.gov> wrote:

No problem Peter, did you respond to the email that the BLM sent me?

On Wed, Dec 11, 2013 at 1:32 PM, Peter Brinton <peterbrinton@utah.gov> wrote:

Sorry about the delay. We are going to require some unreclaimed disturbance that BLM was not aware of to be included in the upcoming file that will replace the old file. So we don't want it released until they have provided replacement surety. Sorry about the delay.

On Wed, Dec 11, 2013 at 10:02 AM, Penny Berry <pennyberry@utah.gov> wrote:

Hi Peter,

When I received the request before I sent the email to you. I had several questions on the permit and that is why I thought it was best that you reply. I asked that you cc me on the email. I haven't received anything from you. Did you respond to the email? I am forwarding you this email I received recently, because I'm still in the dark on this one. Any help will be appreciated. Thank you.

----- Forwarded message -----

From: **Abeyta, Opolonia (Opie)** <oabeyta@blm.gov>

Date: Tue, Dec 10, 2013 at 4:21 PM

Subject: Fwd: UTU-70693, Nielson Mining, S/027/0056

To: pennyberry@utah.gov, Duane Bays <dbays@blm.gov>

Cc: Rita Stelmach <rstelmac@blm.gov>, paulbaker@utah.gov

Rita and I were reviewing the two cases with BLM (one case with UDOGM, S/027/0056). We realize that the March 2013 letter from Fillmore Field Office did not authorize a release.

U70693 expired notice with the \$1195 cash bond held by BLM.

U90076 pending notice requiring \$2600 bond.

Ultimately, the operation has one bond in the amount of \$1195.

If the customer submits the new bond of \$2600 with BLM or UDOGM, then we would need a letter from the BLM Field Office and a letter from UDOGM authorizing the release of the \$1195 cash bond for U70693, due to a new bond was submitted to cover operations for U90076.

If you have any questions, please give me a call.

Opie

----- Forwarded message -----

From: **Stelmach, Rita** <rstelmac@blm.gov>
Date: Tue, Dec 10, 2013 at 3:42 PM
Subject: Fwd: UTU-70693, Nielson Mining, S/027/0056
To: "Opolonia (Opie) Abeyta" <oabeyta@blm.gov>

----- Forwarded message -----

From: **Bays, Duane** <dbays@blm.gov>
Date: Mon, Dec 2, 2013 at 3:49 PM
Subject: Re: UTU-70693, Nielson Mining, S/027/0056
To: "Stelmach, Rita" <rstelmac@blm.gov>
Cc: pennyberry@utah.gov, Joelle McCarthy <jmccarth@blm.gov>

Hi Rita and Penny,

The BLM Notice case file UTU-70693 expired on January 20, 2005. For a BLM Notice, once a Notice file has expired, the only allowable activity is reclamation. Marion Kent Nielson, the primary contact for Nielson Mining at the time, is deceased.

Nielson Mining recently submitted a proposal for four new exploration trenches in the area. The primary contact now is Scott Nielson, who is apparently Marion Kent Nielson's son. Since the old case was expired and reclaimed, I created a new BLM Notice case file, UTU-90076.

The new proposed surface disturbance goes under that number, at least for the BLM. That case is in Pending status with the BLM.

Best wishes,

Duane Bays
Natural Resource Specialist
Bureau of Land Management

Fillmore Field Office
95 East 500 North
Fillmore, Utah 84631

(435) 743-3115

On Mon, Dec 2, 2013 at 3:32 PM, Stelmach, Rita <rstelmac@blm.gov> wrote:
Howdy Penny,

On March 18, 2013, I received the BLM release letter. However, in order for me to release the bond, I need the UDOGM release letter.

Thanks....

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Rita C. Stelmach
Land Law Examiner
Mining Law Team, USO

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Facsimile (801) 539-4200

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Penny Berry
Bond Coordinator
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Office hours M- Thur 6:00 a.m to 4:30 p.m.

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